

COMMONWEALTH OF KENTUCKY
PUBLIC PROTECTION CABINET
DEPARTMENT OF FINANCIAL INSTITUTIONS
AGENCY CASE NO. 2009-AH-031
ADMINISTRATIVE ACTION NO. 99-PPC-0135

DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

vs.

DAVID C. BROWN

RESPONDENT

AGREED ORDER

1. The Department of Financial Institutions ("DFI") is responsible for administering the provisions of KRS Chapter 292, the Securities Act of Kentucky ("the Act"), as well as any applicable rules, regulations and Orders entered pursuant to the Act.
2. On April 13, 2009, DFI received an application for agent registration on Form U-4 from David C. Brown ("Brown").
3. On May 12, 2009, DFI denied Brown's application. In denying the application for registration, the Commissioner relied upon KRS §292.330(13)(a)6; §292.330(13)(a)2; §292.330(1); §292.320(1).
4. Brown requested an administrative hearing in accordance with KRS Chapter 13B, and such hearing has been scheduled for September 15, 2009.
5. In the interest of economically and efficiently resolving the matter described herein, DFI and Brown agree as follows:
 - a. The currently scheduled administrative hearing is no longer necessary as they desire to settle this matter without the need for further litigation or process. The hearing scheduled for September 15, 2009 should be cancelled;

b. For a minimum of three (3) years commencing upon the date of entry of this Agreed Order, Brown, directly or indirectly, shall not engage in or participate in any activity which requires registration under the Act; and

c. Brown shall not apply to DFI for any license or registration required under the Act to practice or participate in the securities industry in this state in any manner for a period of not less than three (3) years from the date of entry of this Agreed Order. Brown may so apply for licensure or registration after such time, however, Brown understands that DFI is under no obligation whatsoever to grant such a license or registration, either conditionally or not.

6. Brown waives his right to demand a hearing at which he would be entitled to legal representation, to confront and cross examine witnesses, and to present evidence on its own behalf, or to otherwise appeal or set aside this Agreed Order.

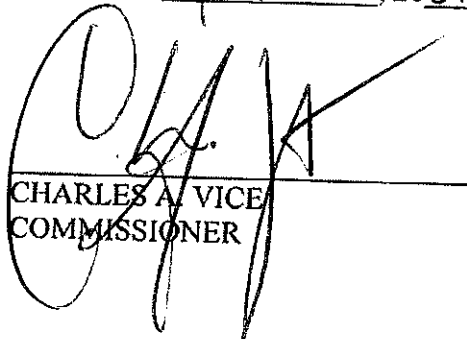
7. Brown consents to and acknowledges the jurisdiction of the DFI over this matter and that this Agreed Order is a matter of public record and may be disseminated as such.

8. In consideration of execution of this Agreed Order and settlement of this matter (Agency Case No. 2009-AH-31 and Administrative Action No. 99-PPC-0135), Brown for himself, and for his successors and assigns, hereby releases and forever discharges the Commonwealth of Kentucky, DFI, Office of Legal Services, and each of their members, agents, and employees in their individual capacities, from any and all manner of actions, causes of action, suits, debts, judgments, executions, claims and demands whatsoever, known and unknown, in law or equity, that Brown ever had, now has, may have or claim to have against any or all of the persons or entities named in this paragraph arising out of or by reason of this investigation, this disciplinary action, this settlement or its administration.

9. By signing below, the parties acknowledge they have read the foregoing Agreed Order, know and fully understand its contents, and that they are authorized to enter into and execute this Agreed Order and legally bind their respective parties.

10. This Agreed Order shall constitute the Final Order in this matter.

IT IS SO ORDERED on this the 28th day of September, 2008.


CHARLES A. VICE
COMMISSIONER

Consented to:

This 28 day of Sept, 2009

This 23 day of Sept, 2009

Shonita B.

Shonita Bossier, Director
Division of Financial Institutions
Department of Financial Institutions

David C. Brown

David C. Brown
Respondent

ACKNOWLEDGEMENT

STATE OF Kentucky)
COUNTY OF Warren)

On this the 23 day of Sept., 2009, before me Chris Minix, the undersigned, **David C. Brown**, did personally appear and acknowledge himself to me, and that being authorized to do so, entered into and executed the foregoing instrument for the purposes therein contained.

In witness whereof I hereunto set my hand.

My Commission Expires: 9-21-11

Chris Minix
Notary Public

Certificate of Service

I, Christine Lewis, hereby certify that a copy of the foregoing **Agreed Order** was sent on this the 29 day of September, 2009, by certified mail, return receipt requested, to the following:

Christopher D. Minix
Lanna Martin Kilgore PLLC
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Counsel for Complainant